

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,)	
Plaintiff,)	
)	No. 1:20-cr-69-03
-v-)	
)	Honorable Paul L. Maloney
UMBERTO GAVIER CRUZ,)	
Defendant.)	
_____)	

ORDER

Defendant Cruz filed a motion for a reduction in sentence under the compassionate release provision of 18 U.S.C. § 3582(c). (ECF No. 344.) Defendant contends that extraordinary and compelling reasons exist based the threat of a COVID-19 infection and his health conditions.

The Court concludes that information about Defendant's vaccination status is relevant to the motion. The Federal Bureau of Prison has a vaccine implementation plan and its website indicates how many inmates have been vaccinated at each facility. Information on specific inmates, however, is not available.

Therefore, **IT IS ORDERED** that within 21 days of this Order, Defendant must provide information about his vaccination status to the Court in a supplemental filing.

1. Has the defendant been vaccinated against COVID-19?
2. If Defendant has not been vaccinated, was he offered vaccine?
3. If Defendant has not been vaccinated and was offered a vaccine, did he decline to be vaccinated? If so, why (in general terms)?

If Defendant does not timely respond to this Order, the Court may deny the motion for compassionate release without prejudice due to the incomplete record.

IT IS SO ORDERED.

Date: December 15, 2021

/s/ Paul L. Maloney
Paul L. Maloney
United States District Judge